

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
ROBERT OLAFSON and)	
PATRICIA OLAFSON)	
)	
)	CIVIL ACTION NO. 04
)	10158MLW
v.)	
)	
KYLE E. BYRNE, an BFI WASTE)	
SERVICES OF MASSACHUSETTS, LLC,)	
and MARGARET HAMILL)	
_____)	

SCHEDULING ORDER

The Court approves the following schedule for events in the case:

1. AUTOMATIC DELIVERY:

All discovery exchanges required by Fed. R. Civ. P. 26(a)(1) and Local Rule 26.2(A) shall be completed by October 1, 2004.

2. FACT DISCOVERY:

A. Written Discovery:

Written document requests, interrogatories, depositions on written questions and requests for admissions may be served at any time prior to 90 days before the Pre-trial Conference, however, all written discovery responses shall be served by January 31, 2005.

B. Oral Depositions:

All non-expert oral depositions shall be completed by January 31, 2005.

3. AMENDMENT OF PLEADINGS

All motions to amend the pleadings shall be filed by February 28, 2005.

4. EXPERT DISCOVERY

A. Initial Disclosures:

The parties shall make the initial disclosures of expert materials required by Fed. R. Civ. P. 26(a)(2) by March 31, 2005; the defendants by April 30, 2005.

B. Further Discovery:

Further discovery concerning expert witnesses pursuant to Fed. R. Civ. P. 26(b)(4), including interrogatories and depositions, shall be completed by May 30, 2005.

5. DISPOSITIVE MOTIONS:

All dispositive motions under Fed R. Civ. P. 12 or 56 shall be made before June 30, 2005. When any such motion is filed by any party, any other party shall file an opposition to the motion within 21 days of the docketing of the original motion. Without further leave of court, the moving party may file a reply to such opposition within seven days of the docketing of the opposition. No other submissions pertaining to the motion may be filed without leave obtained in advance.

6. SETTLEMENT CONFERENCE

A settlement conference shall be commenced on or before July 30, 2005.

7. PRETRIAL CONFERENCE:

A final pretrial conference pursuant to Fed. R. Civ. P. 16(d) and Local Rule 16.5 will be held at 2:00 p.m. on August ____, 2005, or at such other date and time as may be selected by the Court.

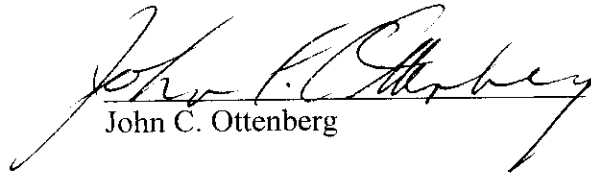
Lawrence P. Cohen
Magistrate Judge

Date: August ____, 2004

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CERTIFICATION

I, John C. Ottenberg, counsel for the plaintiffs Robert Olafson and Patricia Olafson, certify that I have conferred with my clients with a view to establishing a budget for the cost of conducting this litigation, and have discussed with them resolution of the litigation through the use of alternative dispute resolution programs.


John C. Ottenberg

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